

### **REMARKS**

Applicants add claim 11-13. Accordingly, claims 1-13 are all the claims pending in the application. The claims contain no impermissible new matter.

#### ***Claims rejections***

Claims 1-3, 5-8 and 10 are rejected under 35 U.S.C. § 102(b) as being anticipated by Hedberg et al (“Evolving WCDMA”; hereinafter “Hedberg”). Applicants traverse the rejections for at least the following reasons.

#### **Claim 1**

Claim 1 recites, *inter alia*, “assigning a carrier frequency of a set of at least first and second carrier frequencies to each one of the dedicated channels” and “sending one of the first signals to one of the plurality of user equipments on the dedicated channel of that user equipment on the assigned carrier frequency by applying a transmit diversity scheme.” Applicants submit that Hedberg does not disclose the unique features of claim 1 recited above.

Hedberg is directed to Wideband Code-Division Multiple Access (WCDMA) systems that are designed to be service-independent. Hedberg discloses enhancements to the 3GPP standard (R99) in coverage, capacity enhancements and service. One of the enhancements in services is the high-speed downlink packet data access (HSDPA). The HSDPA introduces a new transport channel, HS-DSCH, which is used for best effort packet data (page 129, lines 18-21). Hedberg discloses that every user equipment (UE) to which data can be transmitted on the HS-DSCH has an associated dedicated physical channel (DPCH). However, Hedberg does not disclose **assigning a carrier frequency of a set of at least first and second carrier frequencies to each one of the dedicated channels.**

*Response to the arguments*

In the response to the Applicants arguments filed on July 24, 2007, the Examiner contends that Hedberg discloses that “the Dedicated Physical Channel reads on carrying (assigning) commands for the associated uplink (1<sup>st</sup> carrier frequency) and other services such as circuit-switched voice (2<sup>nd</sup> carrier frequency) on page 129 lines 2-5”. Applicants respectfully disagree for at least the following reasons.

First, in the portion cited by the Examiner, Hedberg discloses that the DPCH is used to carry power control commands for the associated uplink, and other services such as circuit switched voice, if needed. However, this portion of Hedberg merely discloses power control and other commands being carried on the channel; it does not disclose or suggest frequencies at which the signals are transmitted. Also, there is also no disclosure of first and second carrier frequencies, instead different commands (power control commands and circuit switched voice) that might be carried on the DPCH are disclosed. Consequently, there is not disclosure of assigning a carrier frequency of the set of the first and second carrier frequencies to each of the dedicated channels.

Second, the Examiner alleges that “carrying commands” corresponds to “assigning of the carrier frequencies.” Applicants submit that it is well-known to one of ordinary skill in the art at the time of the invention that “carrying commands” does not disclose “assigning a carrier frequency”. Accordingly, “carrying commands” does not disclose assigning a carrier frequency of the set of the first and second carrier frequencies to each of the dedicated channels as recited in claim 1.

Third, FIG. 4 of Hedberg discloses multi-carrier power amplifier and antenna interface unit boards. However, FIG. 4 does not disclose **assigning a carrier frequency of the set of the first and second carrier frequencies to each of the dedicated channels.**

In view of the above, Applicants submit that Hedberg does not disclose a **set of at least first and second carrier frequencies** and **assigning a carrier frequency of the set of the first and second carrier frequencies** as recited in claim 1, and therefore claim 1 is allowable over the cited reference.

Furthermore, Hedberg also does not disclose sending one of the first signals to one of the plurality of user equipments on the dedicated channel of that user equipment on the assigned carrier frequency by applying a transmit diversity scheme. That is, Hedberg discloses that DPCCH are used to carry commands; but there is no disclosure of sending one of the first signals on the dedicated channel on the **assigned carrier frequency** (i.e., **a carrier frequency of the set of the first and second carrier frequencies**).

Claim 5, 6 and 10

Independent claims 5, 6 and 10 recite subject matter analogous to claim 1, and therefore are allowable for at least the similar reasons claim 1 is shown to be allowable.

Claims 3, 7 and 8

Claim 3, 7 and 8 depend from one of the independent claims that have been shown to be allowable, and therefore are also allowable at least by virtue of their dependency.

Claims 4 and 9

Applicants submit that since Kongiantis does not cure the deficiency noted above with regard to claim 1 and since claims 4 and 9 depend from one of the independent claims that have been shown to be allowable, claims 4 and 9 are allowable at least by virtue of their dependency.

*New claim*

Applicants submit that claims 11-13 depend from claim 1, and therefore are allowable at least by virtue of its dependency.

*Conclusion*

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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